

**REMARKS**

Claims 4, 5, 8 and 9 are pending. By this Response, claims 1-3 and 6-7 are cancelled. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

The Office Action rejects claims 1-9 under 35 U.S.C. §102(b) as being anticipated by Inoue, et al. (US 6,295,503). This rejection is respectfully traversed.

In embodiments of the present invention a route searching apparatus includes a route searching unit that searches for a route to a destination in consideration of road links corresponding to specific roads, for example, car pool lanes, on which a determination of whether or not a vehicle is allowed to travel on those specific roads can be performed according to a condition of the vehicle. The condition of the vehicle is set after an initial route search so that all roads are displayed. The road links are included in the map data acquired by the map data acquiring unit.

In the route searching apparatus defined in independent claims 4 and 5, the route searching unit searches for the route to the destination while counting road links corresponding to specific roads included in the map data that can be targets to be searched for. When the search for route includes a specific road (claim 4) or when the vehicle includes a predetermined region including a specific road (claim 5), the route searching unit outputs a message to urge setting of the condition of the vehicle.

In addition, as defined in independent claims 8 and 9, the route searching unit searches for a route to the destination by excluding the road links included in the map data and corresponding to the specific roads from targets to be searched for. When the search for route

includes a specific road (claim 8), or when the vehicle reaches a predetermined region including a specific road (claim 9), the route searching unit outputs a message to urge setting of the condition of the vehicle.

When the condition of the vehicle inputted in response to the message meets requirements for permission to drive on the specific road, the route searching unit sends the route acquired through the route search to the output unit. When the condition of the vehicle input in response to the message doesn't meet the requirements for permission to drive on the specific road, the route searching unit searches for the route to the destination by excluding a road link corresponding to the specific road from targets to be searched for (claim 4) or while counting a road link corresponding to the specific road as targets to be searched for (claim 8) and outputs the searched route to the output unit.

As a result of the embodiments of the present invention, it is possible to provide a route searching apparatus that can perform route searching by taking a condition of the vehicle into consideration in response to a users simple operation. In contrast, Inoue's system does not allow setting of the vehicle condition after the route has been searched. Applicants note that Inoue is a corresponding U.S. application of Japanese Patent Publication JP-A2000-131085 which is discussed in the present specification. Inoue discloses a route setting device in a navigation apparatus that can implement route setting in order to determine whether or not a vehicle is allowed to travel on specific roadways according to the particular circumstances of the vehicle.

However, the route setting device and the navigation apparatus set a route to the destination and consideration of the vehicle associated information. For example, the route setting device and the navigation apparatus assume that when one occupant or less is riding in

the vehicle, the vehicle is not allowed to travel in car pool lanes and then excludes car pool lanes from the targets of the route determination. Thus a searched route does not include car pool lanes. Also, the route setting device and the navigation apparatus deal with car pool lanes in the same way as dealing with the other roads and assume car pool lanes to be targets of the route determination when two or more occupants are riding together in the vehicle. Therefore, in Inoue, a user sets information about the vehicle including the number of people in the vehicle prior to the searching of the route in the road searching apparatus so that the road searching apparatus can perform route searching in consideration of the information about the vehicle.

Thus, in Inoue, a user must set the information about the vehicle in advance and therefore has the inconvenience of not being able to modify the circumstances of the vehicle in consideration of a change or condition of the vehicle. Further, the route searched excludes specific roads based on the information inputted in advance and thus a user may not know of a particular route that may be used if circumstances of the vehicle change.

Therefore, applicants respectfully submit that Inoue fails to teach, *inter alia*, a route searching unit for searching for a route to a destination and the consideration of road links corresponding to specific roads, on which determination of whether or not a vehicle is allowed to travel can be performed according to a condition of the vehicle, where the condition of the vehicle is set after the route is searched, the road links being included in the map data acquired by the map data acquiring unit, as recited in claims 4, 5, 8 and 9.

Also, Inoue fails to teach, *inter alia*, wherein the route searching unit searches for the route to the destination while counting road links corresponding to specific roads included in the map data acquired by the map data acquiring unit as targets to be searched for, when the

searched for route includes a specific road, the route searching unit outputs a message to urge setting of the condition of the vehicle, as recited in claim 4.

Inoue also fails to teach, *inter alia*, a detecting unit for detecting that the vehicle reaches a predetermined region including a specific road, wherein the route searching unit searches for the route to the destination while counting road links corresponding to specific roads included in the map data acquired by the map data acquiring unit as targets to be searched for, when the map detecting unit detects that the vehicle reaches a predetermined region including a specific road, the route searching unit outputs a message to urge setting of the condition of the vehicle, as recited in claim 5.

Inoue also fails to teach, *inter alia*, wherein the route searching unit searches for the route to the destination by excluding the road links included in the map data acquired by said map acquiring unit and corresponding to the specific roads from targets to be searched for, when the searched for route includes a specific road, throughout searching unit outputs a message to urge setting of the condition of the vehicle, as recited in claim 8.

Inoue also fails to teach, *inter alia*, a detecting unit for detecting that the vehicle reaches a predetermined region including a specific road, wherein the route searched unit searches for the route to the destination by excluding the road links included in the map data acquired by the map data acquiring unit and corresponding to the specific roads from targets to be searched for, when the detecting unit detects that the vehicle reaches a predetermined region including a specific road, the route searching unit outputs a message to urge setting of the condition of the vehicle, as recited in claim 9.

In view of the above, applicants respectfully submit that independent claims 4, 5, 8 and 9 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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